

**REMARKS**

The present amendment is submitted in response to the Office Action dated August 25, 2004, which set a three-month period for response, making this amendment due by November 25, 2004.

Claims 8-13 are pending in this application.

In the Office Action, claims 8-13 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,461,542 to Kosak.

To more clearly define the present invention over the cited reference to Kosak, claim 8 was amended to recite that the printed circuit board rests on a side of said housing frame which "faces away from" said housing bottom.

The cited reference to Kosak does indeed show an electrical apparatus with a printed circuit board 15, with an electronic circuit, which at least partially is arranged on the circuit board 15. The electronic circuit also has power components 17, respectively, with an arrangement to a heat conductor (side walls 16). A housing frame is provided with a plurality of ribs (sidewalls 16); these ribs are connected with the respective housing frame wall 21 and are set off by the respective housing wall. The power components 17 have heat-conducting housing parts, through which they are maintained in thermal contact with the ribs, whereby the housing frame is attachable to a heat-conducting housing bottom 4 by thermal contact.

However, the Kosak reference fails to disclose that the circuit board of the electronic circuit rests on the side of the housing frame facing away from the

housing bottom of the electromechanical arrangement. Indeed, the arrangement in Kosak is opposite to that of the present invention, since the printed circuit board 15 rests on a surface of the housing frame (lower shell 11), which faces toward the housing bottom 24.

The arrangement defined in amended claim 8 is shown in the figures of the present application. The corresponding advantages are set forth in the specification on page 2, paragraph 3. (Because the present application is a translation from German, the specification has been amended on page 2, paragraph 3, to correct a slight translation error and to describe the orientation of the printed circuit board relevant to the housing frame as "facing away", rather than "opposite").

While in Kosak, entire printed circuit boards of the device shown in the figures rest on the side of the housing frame, which are facing toward the housing bottom, this is not the case with the subject matter of the present invention. Because Kosak actually teaches away from the present invention as defined in claim 8, failing to disclose every feature of claim 8, the rejection under Section 102 must be withdrawn. Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984).

For the reasons set forth above, the Applicants respectfully submit that claims 8013 are patentable over the cited art. The Applicants further request

withdrawal of the rejection under 35 U.S.C. 102 and reconsideration of the claims as herein amended.

In light of the foregoing amendments and arguments in support of patentability, the Applicants respectfully submit that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



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